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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/829,649	04/10/2001	Dirk Saas	SAAS-1	9203

7590 05/27/2003
COLLARD & ROE, P.C.
1077 Northern Boulevard
Roslyn, NY 11576

EXAMINER

WEEKS, GLORIA R

ART UNIT	PAPER NUMBER
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3721

DATE MAILED: 05/27/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/829,649

Applicant(s)

SAAS, DIRK

Examiner

Gloria R Weeks

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 March 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 2 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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Detailed Action

1. This action is in response to Applicants' amendment received on March 10, 2003.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smithe et al. (EP 0 543 493 A1)

In reference to claim 1, Smithe et al. discloses a method for producing letter envelopes (16) from a moving web (12) of material in an envelope producing machine comprising the steps of: applying printed images (column 8, lines 38-41) to the web (12); cutting the web (12) to form at least one blank (16) of a selected size with a printed image; removing one of the blanks (16) from the machine; and inputting desired web cut changes in a controller (52) as a corrective value (abstract). Based on Smithe et al.'s disclosure of manually changing the cut length of the envelope blanks as a result of design choice by the operator, one would draw the conclusion that this decision is based on a previously printed and cut envelope blank which provides a visual of the envelope blank as a result of the parameters currently set in the apparatus. Examiner takes Official Notice that it is well known in the art of cutting printed material to make adjustments to a printing and cutting apparatus to create the desired final product based on information provided from work previously produced by the apparatus. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have provided Smithe's method with

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the steps of examining the removed blanks to determine any error in placement of the printed images on the blanks, and making adjustments to the machine based on this examination of the removed blank for the purpose of preventing subsequent errors on the printing of the image on the blanks.

Regarding claim 2, Smithe et al. discloses a method for positioning a sequence of printed images in correct positions in relation to a reference edge of an envelope blank (16) cut to a selected size following a printing process by shaping and severing sections of an envelope producing machine comprising the steps of: printing images on a moving web (12) of material (column 8, lines 38-41); moving the material web (12) through shaping and severing sections (30, 28) of the machine to form envelope blanks (16) cut to a selected size; removing one of the imprinted blanks (16) cut to a selected size from the machine and inputting a corrective value into control electronics (52) of the machine. Based on Smithe et al.'s disclosure of manually changing the cut length of the envelope blanks as a result of design choice by the operator (abstract), one would draw the conclusion that this decision is based on a previously printed and cut envelope blank which provides a visual of the envelope blank as a result of the parameters currently set in the apparatus. Examiner takes Official Notice that it is well known in the art of cutting printed material to make adjustments to a printing and cutting apparatus to create the desired final product based on information provided from work previously produced by the apparatus. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to have provided Smithe's method with the steps of examining the removed blanks to determine any error in placement of the printed images on the blanks, and making adjustments to the machine based on this examination of the removed blank for the purpose of preventing subsequent errors on the printing of the image on the blanks.

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Response to Arguments

3. Applicant's arguments with respect to claims 1-2 have been considered but are moot in view of the new ground(s) of rejection.


Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Refer to attachment for notice of references cited and recommended for consideration.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gloria R Weeks whose telephone number is (703) 605-4211. The examiner can normally be reached on 9:30 am - 8:00 pm Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rinaldi I Rada can be reached on (703) 305-2187. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7769 for regular communications and (703) 308-7769 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-1789.


grw
May 19, 2003

Gloria R Weeks
Examiner
Art Unit 3721


EUGENE KIM
PRIMARY EXAMINER